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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA)	CASE NO. CR- 15-194 -JST
)	
14 v.)	STIPULATION AND PROPOSED ORDER
)	EXCLUDING TIME FROM OTHERWISE
15 ASHLEY CEDRICK SMITH,)	APPLICABLE SPEEDY TRIAL ACT
)	CALCULATION
16 Defendant.)	
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17
18 **STIPULATION**

19 IT IS HEREBY STIPULATED by the parties, through undersigned counsel, that:

20 1. The parties appeared before the Court on October 16, 2015 at 9:30 a.m. for a status
21 hearing. Mr. Smith was present and represented by Assistant Federal Public Defender Joyce Leavitt.
22 Assistant United States Attorney Jonas Lerman appeared for the Government. The parties requested a
23 continuance of the matter, with time excluded for effective preparation of counsel.

24 2. Accordingly, with the parties' agreement as to the new date, the Court scheduled another
25 hearing for December 11, 2015 at 9:30 a.m., at which time there will be either a change of plea or setting
26 of a motion schedule. The Court set this date with the understanding that the parties would submit a
27 Stipulation and Proposed Order excluding time.

28 3. The parties now formalize their request for exclusion of time in this matter and respectfully

1 submit and agree that the period from October 16, 2015 through and including December 11, 2015
2 should be excluded from the otherwise applicable Speedy Trial Act computation because the
3 continuance is necessary for effective preparation of counsel, taking into account the exercise of due
4 diligence.

5 4. The parties concur that granting the exclusion would allow the reasonable time necessary
6 for effective preparation of counsel and continuity of counsel. *See* 18 U.S.C. §3161(h)(7)(B)(iv). The
7 parties also agree that the ends of justice served by granting such an exclusion of time for the purposes
8 of effective preparation of counsel outweigh the best interests of the public and the defendant in a
9 speedy trial. 18 U.S.C. § 3161(h)(7)(A).

10 IT IS SO STIPULATED.

11
12 DATED: October 16, 2015

BRIAN J. STRETCH
Acting United States Attorney

13
14 /s/
SARAH HAWKINS
15 Assistant United States Attorney

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17 DATED: October 16, 2015

18 /s/
JOYCE LEAVITT
19 Counsel for the Defendant

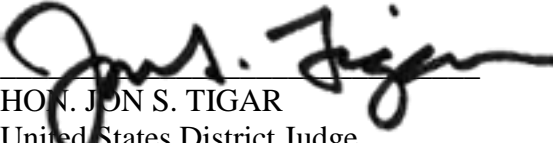
~~PROPOSED~~ ORDER

Based upon the above-described Stipulation, THE COURT FINDS THAT the ends of justice served by granting a continuance from October 16, 2015 through and including December 11, 2015 outweigh the best interest of the public and the defendant in a speedy trial, and that failure to grant such a continuance would unreasonably deny the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

Accordingly, THE COURT ORDERS THAT the period from October 16, 2015 through and including December 11, 2015 is excluded from the otherwise applicable Speedy Trial Act computation, pursuant to 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

IT IS SO ORDERED.

DATED: October 20, 2015



HON. JON S. TIGAR
United States District Judge